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## NEW POLISH REGULATION COVERING INVESTIGATION OF AIRCRAFT ACCIDENTS

A new regulation, superseding the regulation passed by the Minister of Transportation on 26 April 1950 with regard to the Aircraft Accidents Investigating Commission's procedure in investigating aircraft accidents and handing down decisions in such cases, becomes effective 13 June 1950. The new regulation reads as follows:

The KBWL (Aircraft Accidents Investigating Commission) is part of the Department of Civil Aviation of the Ministry of Transportation.

Duties of the KBWL are defined by the directive issued by the Minister of Transportation of 25 March 1949 in agreement with the Ministers of National Defense, Public Administration, and Public Security on the procedure in aircraft accident cases.

The KBWL will be composed of the following members appointed by the Minister of Transportation:

- 1. Chairman
- Secretary
- 3. Manager of the KCSP (Control of Civil Air Transports)
- Expert in flight training

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- Representative of the Main Aeronautical Institute
- Representative of the Central Institute for Aero-Medical Investigations
- 7. Aeronautic law expert
- 128.5 8. Representative of the Military Bureau of the Ministry of Transportation; and in cases involving aircraft of LOT (Polish Airlines), a representative of the military office of LOT.

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KBWL members mentioned under 1, 2, and 4 above are appointed from among officials in the Ministry of Transportation; while, members mentioned under 5 and 6 above are appointed from among persons proposed by the respective institutes.

In the event of accidents listed in paragraph 8, Item 3 of the directive of 25 March 1949, a representative of military authority is appointed by the commander of the Air Force to the KBWL.

The manager of the Control of Civil Air Transports is vice-chairman of KBWL ex-officio.

At the KBWL session, a representative of the aircraft's owner, lessee, etc., whose case is being reviewed, takes part in the session as an observer with the right to make suggestions and present facts.

After receiving notification of an accident, the chairman of KBWL decides, on the basis of available information, whether the KBWL will conduct the investigation at the scene of the accident or if a later investigation conducted by a KCSP expert will be sufficient.

The KBWL investigates cases involving all Polish transport aircraft at the scene of the accident, and all accidents to foreign civil aircraft in Poland. The KBWL also investigates all accidents involving other Polish civil aircraft, either in Poland or abroad, in which a person has been killed or seriously injured, where the aircraft has been totally destroyed or needs major repairs, or when an accident has been designated by the chairman as important for other reasons.

The chairman may order investigation of aircraft accidents or incidents not listed in Paragraph 1, Item 2 in the directive of 25 March 1949.

Investigation of accidents to Polish aircraft in foreign countries is restricted to participation in investigations conducted by the state authorities in the particular country where the accident occurred. This is to see that the investigation is conducted by the authorities in conformance with laws of Poland as defined in international agreements or by consent of the foreign nation.

For participation in investigations referred to in Paragraph 8, Item 2 of the directive of 25 March 1949 (collision of civil aircraft with military aircraft), the chairman of KBWL appoints one or several members of the KBWL or KCSP experts, who at the investigation will be subordinate to the chairman appointed by the military authorities.

In every accident involving death or serious injury, the chairman of KBWL will immediately notify, either in writing or by telegraph, the Minister of Transportation, Directors of the Department of Civil Aviation, the Department of Control and Military Bureau of the Ministry of Transportation, and the Ministry of Public Security.

If the chairman of KBWL decides to conduct the investigation at the scene of the accident, he appoints one or more members of the KBWL who will immediately go to the scene of the accident, notifying beforehand by telephone or by telegraph the proper KCSP expert of their departure.

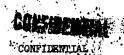
Investigation at the scene of the accident covers proper external postmortem examinations of the scene and aircraft, and is supplemented with photographs. An interrogation record of the crew, passengers, and witnesses of the accident, a detailed technical examination of the aircraft and all its equipment and parts, and tests of equipment to determine the cause of the accident are made.

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Members of KBWL conducting the investigation draw up a report according to instructions in the directive of 25 March 1949 and present their findings as to the causes of the accident and the responsibility for it.

Documents on accidents involving death, total destruction of equipment, or other important incidents, are reviewed by KBWL immediately upon receipt. Other accident cases are reviewed by the KBWL within a month after receipt of the complete report.

On the basis of the examination and investigation at the scene of the accident and the investigation data submitted by the KCSP experts, the KBWL determines the causes of the accident and the responsibility for it. It also defines the percentage ratio for the various causes contributing to the accident, and recommends the penalty within the limits of the law.

In the event of suspicion that the causes of the accident are of criminal origin, the KBWL will immediately notify the authorities for prosecution and public security.

Surveys, statistics on aviation accidents, and KBWL records are handled by the secretary of the KBWL.

Expenses connected with KBWL acticities are covered by the budget of the Ministry of Transportation (Department of Civil Aviation).

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